



WEB COPY

W.P.(MD)No.10792 of 2009

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD)No.10792 of 2009

and

M.P. (MD)No.1 of 2009

M.Sagini Nelson

... Petitioner

versus

1. The District Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.

2. The Revenue Divisional officer,
Nagercoil,
Kanyakumari District.

3. The Thasildar,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.

4. R.Mary Rajam

5. Sharmila

6. Shylaja

7. Sudev Kumar

8. Mary Stella

9. Soniya Dhas

10. Charisma Dhas

11. K.Kamalesh Babu

Rep. by the General Power Holder

Mary Stella (8th respondent)

12. K.Vijayakumar

Rep. by the General Power Holder

Mary Stella (8th respondent)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the 2nd respondent in his proceedings Na.Ka.A5.2009/2006 dated 19.06.2009 and quash the same as illegal and consequently, direct the second respondent to consider and pass orders on the petitioner's appeal dated 07.02.2006 on merits and in accordance with law.

<https://hcservices.ecourts.gov.in/hcservices/>



For Petitioner : Mr.V.Karthick Raja
for M/s.Ajmal Associates
For R1 to R3 : Mr.A.Baskaran
Additional Government Pleader
For R4 to R6 : Mr.N.Dilipkumar
For R7 : No appearance
For R8 to R10 : Mr.M.Saravanan
For R11 & R12 : Tapal returned

ORDER

This writ petition is filed against the order passed by the second respondent/the Revenue Divisional Officer, Nagercoil, Kanyakumari District, in Na.Ka.A5.2009/2006 dated 19.06.2009.

2. The Tahsildar, Agasteeswaram Taluk, Nagercoil, Kanyakumari District, passed an order dated 02.06.1992, mutating the patta in the name of the private respondents herein based on a registered partition deed dated 13.10.1965. Challenging the said order, the petitioner filed an appeal in the year 2006 before the second respondent/the Revenue Divisional Officer, Nagercoil, Kanyakumari District. The second respondent, by order dated 19.06.2009, dismissed the appeal on the ground of limitation. Aggrieved over the same, the present writ petition has been filed.

3. It is submitted by the learned counsel on either side that there are civil suits pending between the parties.

4. In view of the same, this Court is not inclined to entertain the writ petition as there is no error apparent on the order passed by the Revenue Divisional Officer, Nagercoil, Kanyakumari District. Accordingly, the writ petition is dismissed. The petitioner is at liberty to work out his remedy in the Civil Suits which have already been instituted between the parties. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The District Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.

2. The Revenue Divisional officer,
Nagercoil,
Kanyakumari District.

3. The Thasildar,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-15572[F]
dated 31/03/2022)

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-15851[F] dated 31/03/2022)

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-15757[F]
dated 31/03/2022)

W.P. (MD) No.10792 of 2009

30.03.2022

SJ (CO)

GC (23.05.2022) 3P 7C